

Higher Education, a challenge to provide scholarships to AmeriCorps members that complement the stipends they receive for their year of service. The result is a win/win for both sides: Higher education gets the kind of committed students who are potential campus leaders; and AmeriCorps members pass through another gateway to opportunity.

The foundation for the Rhode Island Challenge to Higher Education was laid a year ago. Rhode Island's bipartisan congressional delegation, each member of which played a role in the passage of the legislation that brought about AmeriCorps, joined other dignitaries at Slater Junior High School in Pawtucket in AmeriCorps's debut. The setting, a junior high school in the heart of one of our older, struggling cities, provided a fitting backdrop for the Rhode Island AmeriCorps members and the educational programs they would serve.

In the year since, AmeriCorps members have farmed out across the state, serving as teachers' assistants in public schools, tutors in after-school mentoring programs, and teaching English as a Second Language and GED classes to adults. And they've had an impact, all because they are 100 percent behind keeping their end of a bargain to make AmeriCorps work the way in which Congress and the President intended.

Rhode Islanders would have been proud to have joined me and some of the presidents in the White House Cabinet Room recently when we introduced the Rhode Island Challenge to Higher Education to President Clinton. From the smallest state to the other 49 came the challenge for their colleges and universities to match our commitment of scholarships to AmeriCorps members.

Our hope, and that of AmeriCorps members around the country and others committed to public service, is that our Challenge to Higher Education can help overcome the cynicism that has come to mark the debate in Washington. •

#### ORDER OF PROCEDURE

Mr. DOLE. Mr. President, first, I indicate there will be no further votes this evening.

#### AUTHORIZING TESTIMONY AND LEGAL REPRESENTATION

Mr. DOLE. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 186, submitted earlier by Senator DOLE and Senator DASCHLE.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A resolution (S. Res. 186) to authorize testimony by Senate employees and representation by Senate legal counsel.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. DOLE. Mr. President, the U.S. Government is the defendant in a pending case in the U.S. Court of Federal Claims arising out of a dispute with a private real estate developer over the Government's procurement to lease a new headquarters building for the Securities and Exchange Commission. The plaintiff developer responded to the Government's request for proposals

by offering to build the SEC a new headquarters building in Silver Spring, MD. The plaintiff alleges in this lawsuit that the Government violated procurement law in connection with the SEC headquarters procurement.

The Government has determined that the group of individuals who may have relevant information about this case includes two employees on Senator SARBANES' staff. In addition to his interest in this matter arising out of the SEC's potential selection of a site in Maryland for its headquarters building, Senator SARBANES is the ranking minority member of the Committee on Banking, Housing, and Urban Affairs, which has oversight jurisdiction over the SEC.

Senator SARBANES would like the Senate to authorize the employees in his office to testify in response to the Government's request. This resolution would authorize them to testify with representation by the Senate legal counsel.

Mr. President, I ask unanimous consent that the resolution be agreed to; that the motion to reconsider be laid upon the table; and that any statements relating to the resolution appear at the appropriate place in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered. Without objection, the preamble is agreed to.

So the resolution (S. Res. 186) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, is as follows:

#### S. RES. 186

Whereas, the defendant in *Triangle MLP United Partnership v. United States*, No. 95-430C, a civil action pending in the United States Court of Federal Claims, is seeking testimony at a deposition from Charles Stek and Rebecca Wagner, employees of the Senate who are on the staff of Senator Paul S. Sarbanes;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate can, by administrative or judicial process, be taken from such control or possession but by permission of the Senate;

Whereas, when it appears that evidence under the control or in the possession of the Senate is needed for the promotion of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate;

Whereas, pursuant to sections 703(a) and 704(a)(2) of the Ethics in Government Act of 1978, 2 U.S.C. §§288B(a) and 288c(a)(2), the Senate may direct its counsel to represent employees of the Senate with respect to subpoenas or requests for testimony issued or made to them in their official capacities: Now, therefore, be it

*Resolved*, That Charles Stek, Rebecca Wagner, and any other employee of the Senate from whom testimony may be required are authorized to testify and to produce documents in the case of *Triangle MLP United Partnership v. United States*, except concerning matters for which a privilege should be asserted.

SEC. 2. That the Senate Legal Counsel is authorized to represent Charles Stek, Rebecca Wagner, and any other employee of the Senate in connection with the testimony authorized by this resolution.

#### FEDERAL EMPLOYEES EMERGENCY LEAVE TRANSFER ACT OF 1995

Mr. DOLE. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 197, S. 868.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A bill (S. 868) to provide authority for leave transfer for Federal employees who are adversely affected by disasters or emergencies, and for other purposes.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. DOLE. Mr. President, I ask unanimous consent that the bill be deemed read a third time and passed; that the motion to reconsider be laid upon the table; and that any statements relating to the bill be placed at the appropriate place in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

So the bill (S. 868) was deemed read the third time and passed, as follows:

#### S. 868

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That this Act may be cited as the "Federal Employees Emergency Leave Transfer Act of 1995".

SEC. 2. (a) Chapter 63 of title 5, United States Code, is amended by adding after subchapter V the following new subchapter:

"SUBCHAPTER VI—LEAVE TRANSFER IN DISASTERS AND EMERGENCIES

"§6391. Authority for leave transfer program in disasters and emergencies.

"(a) For the purpose of this section—

"(1) 'employee' means an employee as defined in section 6331(1); and

"(2) 'agency' means an Executive agency.

"(b) In the event of a major disaster or emergency, as declared by the President, that results in severe adverse effects for a substantial number of employees, the President may direct the Office of Personnel Management to establish an emergency leave transfer program under which any employee in any agency may donate unused annual leave for transfer to employees of the same or other agencies who are adversely affected by such disaster or emergency.

"(c) The Office of Personnel Management shall establish appropriate requirements for the operation of the emergency leave transfer program under subsection (b), including appropriate limitations on the donation and use of annual leave under the program. An employee may receive and use leave under the program without regard to any requirement that any annual leave and sick leave to a leave recipient's credit must be exhausted before any transferred annual leave may be used.

"(d) A leave bank established under subchapter IV may, to the extent provided in regulations prescribed by the Office of Personnel Management, donate annual leave to the emergency leave transfer program established under subsection (b).

"(e) Except to the extent that the Office of Personnel Management may prescribe by regulation, nothing in section 7351 shall apply to pay solicitation, donation, or acceptance of leave under this section.

"(f) The Office of Personnel Management shall prescribe regulations necessary for the administration of this section."

(b) The analysis for chapter 63 of title 5, United States Code, is amended by adding at the end thereof the following:

**"SUBCHAPTER VI—LEAVE TRANSFER IN DISASTERS AND EMERGENCIES**

**"6391. Authority for leave transfer program in disasters and emergencies".**

SEC. 3. The amendments made by section 2 of this Act shall take effect on the date of enactment of this Act.

**TIED AID CREDIT PROGRAM REAUTHORIZATION**

Mr. DOLE. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of calendar No. 203, S. 1309.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A bill (S. 1309) to reauthorize the tied aid credit program of the Export-Import Bank of the United States, and to allow the Export-Import Bank to conduct a demonstration project.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. DOLE. Mr. President, I ask unanimous consent that the bill be deemed read a third time and passed; that the motion to reconsider be laid upon the table; and that any statements relating to the bill be placed at the appropriate place in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

So the bill (S. 1309) was deemed read the third time and passed, as follows:

S. 1309

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. EXTENSION OF TIED AID CREDIT PROGRAM.**

(a) TIED AID CREDIT FUND.—Section 10(c)(2) of the Export-Import Bank Act of 1945 (12 U.S.C. 635i-3(c)(2)) is amended by striking "the September 30, 1995" and inserting "September 30, 1997".

(b) AUTHORIZATION.—Section 10(e) of the Export-Import Bank Act of 1945 (12 U.S.C. 635i-3(e)) is amended by striking "1993, 1994, and 1995" and inserting "1996 and 1997".

**SEC. 2. AUTHORITY TO CONDUCT A DEMONSTRATION PROJECT.**

Notwithstanding section 4701(a)(1)(A) of title 5, United States Code, the Export-Import Bank of the United States may conduct a demonstration project in accordance with section 4703 of such title.

**DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 1996**

Mr. DOLE. Mr. President, I ask unanimous consent that the Chair lay before the Senate a message from the House on H.R. 2126, an act making appropriations for the Department of De-

fense for the fiscal year ending September 30, 1996.

The PRESIDING OFFICER laid before the Senate the following message from the House of Representatives:

*Resolved*, That the House disagree to the amendment of the Senate to the bill (H.R. 2126) entitled "An Act making appropriations for the Department of Defense for the fiscal year ending September 30, 1996, and for other purposes", and ask a further conference with the Senate on the disagreeing votes of the two Houses thereon.

*Ordered*, That Mr. Young of Florida, Mr. McDade, Mr. Livingston, Mr. Lewis of California, Mr. Skeen, Mr. Hobson, Mr. Bonilla, Mr. Nethercutt, Mr. Istook, Mr. Murtha, Mr. Dicks, Mr. Wilson, Mr. Hefner, Mr. Sabo, and Mr. Obey be the managers of the conference on the part of the House.

Mr. DOLE. Mr. President, I ask unanimous consent that the Senate agree to a request for a further conference with the House and that the Chair be authorized to appoint conferees on the part of the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER (Mr. BENNETT) appointed Mr. STEVENS, Mr. COCHRAN, Mr. SPECTER, Mr. DOMENICI, Mr. BOND, Mr. MCCONNELL, Mr. MACK, Mr. SHELBY, Mr. GREGG, Mr. HATFIELD, Mr. INOUE, Mr. HOLLINGS, Mr. JOHNSTON, Mr. BYRD, Mr. LEAHY, Mr. BUMPERS, Mr. LAUTENBERG, and Mr. HARKIN conferees on the part of the Senate.

**APPOINTMENT OF CONFEREES—  
H.R. 1617**

The PRESIDING OFFICER. Pursuant to the order of October 11, 1995, the Chair appoints the following Senators to serve as conferees on the part of the Senate on H.R. 1617, a bill to consolidate and reform workforce development and literary programs.

The PRESIDING OFFICER (Mr. BENNETT) appointed Mrs. KASSEBAUM, Mr. JEFFORDS, Mr. COATS, Mr. GREGG, Mr. FRIST, Mr. DEWINE, Mr. ASHCROFT, Mr. ABRAHAM, Mr. GORTON, Mr. KENNEDY, Mr. PELL, Mr. DODD, Mr. SIMON, Mr. HARKIN, Ms. MIKULSKI, and Mr. WELLSTONE conferees on the part of the Senate.

**ORDER FOR FRIDAY, OCTOBER 20,  
1995**

Mr. DOLE. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until the hour of 9:30 a.m. on Friday, October 20, 1995; that following the prayer, the Journal of proceedings be deemed approved to date, the time for the two leaders be reserved for their use later in the day; that there then be a period for the transaction of morning business until the hour of 10:30 a.m.,

with Senators permitted to speak for up to 5 minutes each, with the exception of the following: Senator WARNER, 10 minutes; Senator BAUCUS, 10 minutes; Senator KERREY, 20 minutes. So there will be an additional 40 minutes for those who would like to participate in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

**PROGRAM**

Mr. DOLE. For the information of all Senators, at 10:30 it will be the majority leader's intention to turn to Calendar No. 207, S. 1322, regarding the relocation of the Embassy in Israel to Jerusalem. Votes could occur in connection with that bill and the Senate could be asked to turn to the State Department reorganization if the managers' amendment could be agreed to. Therefore votes can be expected to occur.

**NEGOTIATIONS WITH THE  
PRESIDENT**

Mr. DOLE. Mr. President, I will just make one brief statement before we recess. I will just say this.

I think, for the first time, the President of the United States, President Clinton, indicated today that he was prepared to negotiate with the leaders of the Congress concerning a balanced budget in 7 years. It is the first time he suggested 7 years. He also mentioned capital gains, taxes, and other matters. That may be the beginning, at least a glimmer of hope that we might be able to come together in some negotiation with the President of the United States, myself, and the Speaker of the House, Speaker GINGRICH. And I hope that is a sincere offer by the President of the United States, that we can properly pursue it at the appropriate time.

**RECESS UNTIL 9:30 A.M.  
TOMORROW**

Mr. DOLE. Mr. President, if there is no further business to come before the Senate, I now ask unanimous consent that the Senate stand in recess under the previous order.

There being no objection, the Senate, at 7:11 p.m., recessed until Friday, October 20, 1995, at 9:30 a.m.

**NOMINATIONS**

Executive nomination received by the Senate October 19, 1995:

**DEPARTMENT OF DEFENSE**

AUTHUR L. MONEY, OF CALIFORNIA, TO BE AN ASSISTANT SECRETARY OF THE AIR FORCE, VICE CLARK G. FIESTER.